

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
SE 1/2 Westridge Road, 410 ft. SW of Alter Street
6829 Westridge Road
rd Election District
and Councilmanic District
Karlo Towe, et ux
Petitioners

• BEFORE THE
• ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 91-344-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 415A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a recreational vehicle to be stored in the front yard, 8-1/2 ft. behind the lateral projection of the front foundation line of the dwelling, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed a Petition for a Residential Variance on the subject property, known as 6829 Westridge Road, zoned D.R. 5.5, and same having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting permission to store their recreational vehicle in the front yard in lieu of the side yard, 8-1/2 ft. behind the lateral projection of the front foundation line of their dwelling which is improved with a single family detached home.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient evidence and facts that the proposed variance request would comply with the requirements of Section 407.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioners. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15 day of April, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 415A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a recreational vehicle to be stored in the front yard, 8-1/2 ft. behind the lateral projection of the front foundation line of the dwelling, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein.

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmn
cc: Peoples Counsel

-2-

ORDER RECEIVED FOR FILING
Date 4/15/91
By J. Robert Haines

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 9, 1991

Mr. and Mrs. Earlie Towe
6829 Westridge Road
Baltimore, Maryland 21207

RE: Petition for Residential Zoning Variance
Case No. 91-344-A

Dear Mr. and Mrs. Towe:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmn
encl.
cc: Peoples Counsel

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: March 12, 1991
Posted for: _____
Petitioner: _____
Location of property: 6829 Westridge Road, Baltimore, Maryland 21207
Location of Sign: _____
Remarks: _____
Posted by: J. Robert Haines Signature _____ Date of return: March 12, 1991
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

3/04/91

49100554

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IRL)	1 X	\$35.00
080 - POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL		\$60.00

LAST NAME OF OWNER: TOWE

046040007R1CHRC \$60.00
Please Make Checks Payable To: Baltimore County
NEXT BUSINESS DAY

Cashier Validation

PETITION FOR RESIDENTIAL VARIANCE 334

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

415A.1 To allow a recreational vehicle to be stored in the front yard

in lieu of the side yard, 8 1/2 ft. behind the lateral projection of the front

foundation line of the dwelling.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s):

1) The property at 6829 Westridge Road has a deck that comes up to the driveway. This prevents us from making the required set back of eight feet behind the front of the house.

2) If the RV is kept on the driveway it will free up a parking space on the street and it will also prevent the RV from being vandalized.

3) After checking several places in the area we could not find an available storage space for RV's.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

6829 Westridge Rd. 653-9214

Baltimore, Md. 21207

Signature

Name, address and phone number of legal owner, contract purchaser or representative to be notified.

Earlie & Linda Towe

6829 Westridge Rd. 653-9214

Signature

ORDERED by the Zoning Commissioner of Baltimore County, this 15 day of April, 1991, that the subject matter of this petition be posted on the property on or before the 20 day of April, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 102, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock, _____ A.M.

ZONING COMMISSIONER OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 12, 1991

Earlie and Linda Towe
6829 Westridge Road
Baltimore, Maryland 21207

Re: CASE NUMBER: 91-344-A
LOCATION: SE 1/4 Westridge Road, 410' SW of Alter Street
6829 Westridge Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a rebuttal regarding the administrative process.

1) Your property will be posted on or before March 20, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is April 4, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens
(301) 887-3391

File Copy

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-344-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at
6829 Westridge Rd. Baltimore, Md. 21207
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for (or a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty))

1) The property at 6829 Westridge Road has a deck that comes up to the driveway. This prevents us from making the required set back of eight feet behind the front of the house.

2) If the RV is kept on the driveway it will free up a parking space on the street and it will also prevent the RV from being vandalized.

3) After checking several places in the area we could not find an available storage space for RV's.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

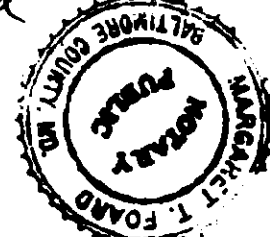
J. Robert Haines
AFFIRANT (Handwritten Signature)
Earlie & Linda Towe
AFFIRANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 12th day of March, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Earlie & Linda Towe
AFFIRANT (Printed Name)

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and make oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.
August F. Ford
DATE Sept 1992
By Commission Expires: Sept 1992



334

Earlie and Linda Towe Jr.
6829 Westridge Road
Baltimore, Maryland 21207

91-344-A

ZONING DESCRIPTION
(6829 Westridge Road)

Beginning for the same at a point on the southeasterly side of Westridge Road as laid out 50 feet wide located 690.55 feet Northerly as measured along said southeasterly side from the intersection formed by the extensions of the East side of Westridge Road and the North side of Ryfield Road and running thence binding on the southeasterly side of Westridge Road North 43 degrees 48 minutes 00 seconds East 50.00 feet thence South 46 degrees 12 minutes 00 seconds West 150.00 feet to the place of beginning; the improvements thereon being known as 6829 Westridge Road; and containing 6300.00 square feet more or less; subject to a five foot easement reservation along the 3rd and 4th lines of this description. Being designated as LOT NO. 113 on the Plat of section 1 Campfield Gardens recorded among the land records of Baltimore County in Plat Book G.L.S. No. 18, folio 42.

